

Ser. No. 10/772,063
Response to Office Action of 12/06/2005

Attorney Docket: D0932-00447

REMARKS

Claims 1-10, 12-17 and 38-41 are pending.

Claims 1, 14, and 38-41 are amended.

Claim Rejections under 35 U.S.C. § 103

The Examiner rejects claims 1-10, 12-17, and 38-41 under 35 U.S.C. § 103(a) as obvious over U.S. published application No. 2004/0185204 to Fay et al. ("Fay") in view of U.S. published application No. 2005/0049224 to Gaglani et al. ("Gaglani").

In response, independent claims 1, 14, 38, 39, 40 and 41 have been amended to recite that the antifungal/antimicrobial agent is present in the amount "between 12-24 ppm of the dry weight of the cellulosic facing."

In contrast, with respect to Fay, the Examiner agrees that Fay does not disclose application of an antifungal/antimicrobial agent in the amount of less than 200 ppm of the dry weight of the cellulosic facing. With regard to Gaglani, as noted by the Examiner, Gaglani discloses application of antimicrobial composition in a range from "0.004% to 2.0%" (40 ppm to 20,000 ppm). (Gaglani at paragraph [0018]). Neither Fay nor Gaglani discloses that such low amount of antifungal/antimicrobial agent as claimed could be effective. As such, the disclosures of Fay and Gaglani, whether taken singly or in combination do not disclose the invention claimed in amended claims, 1, 14, 38, 39, 40 and 41.

Accordingly, withdrawal of the rejection of claims 1, 14, and 38-41 and their allowance are requested.

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The remaining claims 2-10, and 12-17 depend from claims 1 and 14, respectively, which are allowable over the cited references. Thus, the dependent claims are also allowable over the cited references. Withdrawal of the rejection of claims 2-10, and 12-17 and their allowance are requested.

In view of the above, Applicants believe that the pending claims as amended are in condition for allowance. Reconsideration and favorable disposition of the present application is kindly requested.

Respectfully submitted,

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